

COMMISSIONERS' APPROVAL

CHILCOTT 

LUND 

THOMPSON 

TAYLOR (Clerk & Recorder)

Date.....October 12, 2006

Members Present.....Commissioner Greg Chilcott and
Commissioner Alan Thompson

Minutes: Glenda Wiles

The Board of County Commissioners met for discussion and approval of a construction contract for the Corvallis CTEP and designation of the Environmental Certifying Officer for the Darby CTEP project. Commissioner Lund was absent. Skip Rosenthal presented the CTEP project on behalf of Landworks Engineering and recommended the Commissioners sign off on the contract. Commissioner Lund was absent for this portion of the meeting.

Commissioner Thompson made a motion to sign the contract and designate John Gregstan as the Environmental Certifying Officer. Commissioner Chilcott seconded the motion and all voted 'aye'.

Commissioner Thompson made a motion to proceed with the construction of this project (small bridge). Commissioner Chilcott seconded the motion and all voted 'aye'. The time to proceed will be October 16th with an expected date of substantial completion on December 16th, which is 60 days out.

Skip indicated a notice to proceed will not be sent out until notice of insurance coverage has been received.

The Board met with Public Health Nurse Judy Griffin and several other health employees in regard to Employee Action Form(s) for health employees. It was agreed the Board will review the grant requirements and raise issue making a decision on October 16th.

In other business the Board held a public hearing on proposed fee increases for Environmental Health, Clerk & Recorder and Planning. Commissioner Chilcott called the hearing to order by reading the legal notice. Commissioner Lund was now present.

Fee Increase/and or new fees:

Environmental Health: (Director Theresa Blazicevich)

- Non-refundable fee for processing wastewater treatment system, site evaluations, groundwater monitoring applications, and subdivision submittals.....\$50.00 which would cover the staff time to prepare for those submittals when the application is then withdrawn by the applicant. Discussion of this request: this would be the non-refundable portion of the fees below the processing i.e., if the applicant applied for a site evaluation for new construction the fee is \$200.00. If the applicant withdraws that application, they would only receive \$150.00 back rather than the \$200.00.
- Permit for minor changes to existing wastewater treatment system, e.g. replacing septic tank, installing risers, repair of less than 10' of piping.....\$100.00

Planning: (Director Karen Hughes)

- Major Deviation under subdivisions would be the same as preliminary plat review fees...\$900.00 plus \$50.00 per lot
- Minor Deviation under subdivisions.....\$50.00
- Legal ad for each subsequent hearing/meeting...would be the actual cost of legal ad

Discussion of these proposals was how many major deviations that have occurred recently and the process of handling those deviations took place. The model regulations were also discussed and how the fees will match up with the new process and be a stand alone document from the regulations that will be adopted at a later date. In regard to a major deviation, Commissioner Lund felt \$450.00 plus the lot charge would be sufficient. Commissioner Thompson felt the \$900.00 plus the lot charge was sufficient and proper in his mind as he relies on Planning Staff's judgment. Karen noted for the next month (until the next regulations come into effect) the fee of \$450.00 rather than \$900.00 would be fine.

Clerk & Recorder: (Clerk & Recorder Nedra Taylor and Deputy Clerk & Recorder Regina Wilson)

- Email of absentee voter list: \$25.00 for each request. Regina stated she has done this email in the past for free but due to the time involved a fee needs to be charged. This would be for the entire election cycle of 45 days. Commissioner Thompson felt the Clerk & Recorder has the expertise to know what time is involved in providing this service.

Public comment was called for.

Chris Palin asked questions on the privacy act in regard to their ability to sell the list. Regina stated this is for non-commercial use only, only to get the information out. This is public information and that question should be directed to the Secretary of State.

Chris Palin also stated she would like to see the Planning office spend their time and energy on new regulations rather than worry about the new fees for the next month.

Public comment was closed.

Commissioner Lund asked about charges for each election. Regina stated this fee for the email list of absentee voters would be for each election; primary and general. Regina stated they are up to 2,000 absentees and the time involved for updating the list, sending the list and answering questions from candidates and voters ends up being quite a bit.

Commissioner Lund made a motion to adopt the following fees immediately:

Environmental Health:

- \$50.00 non-refundable fee for process wastewater treatment system, site evaluations, groundwater monitoring applications, and subdivision submittals
- \$100.00 permit for minor changes to existing wastewater treatment system, (replacement of septic tank, installing risers, repair of less than 10' of piping)

Planning:

- \$450.00 fee with no additional lot charge fees for major deviation for subdivisions
- \$50.00 for minor deviation for subdivisions
- Actual cost for legal ad for each subsequent hearing/meeting

Clerk & Recorder:

- \$25.00 fee for each request of a daily email list of absentee voters per election

Commissioner Thompson seconded the motion and all voted "aye". See Resolution No. 1980.

In other business the Board held a public auction for five pieces of real estate owned by the county. Commissioner Chilcott called the public auction to order by reading the legal notice. Commissioner Lund noted that Tom Faulkner hangs his license at Coldwell Banker Real Estate Office (which her husband owns and sells real estate from) and Tom is one of the appraisers for these properties. She stated there is no conflict of interest, but rather a disclosure of information prior to the public auction process.

Civil Counsel James McCubbin stated in regard to terms; if there is a letter from a bank stating the funds are available and/ or the funds are brought in by end of day, that would be an acceptable bid.

Francis Clark asked about the Camas Creek Loop property, the web site shows 3.34 acres. David Ohnstad stated it is 3.34 acres.

The auction process began with the following parcels:

- Three lots on Market Street in Corvallis; Lots 16, 17 & 18, Block 13, Townsite of Corvallis; currently used as a Road & Bridge Department corporation yard. Commissioner Chilcott opened the auction.

No bids received.

- 3.33 acres on Owings Creek Road, southwest of Hamilton; Section 35, Township 6 North, Range 21 West. No bids received. Commissioner Chilcott opened the auction.

No bids received.

- 3.34 acres on Camas Creek Loop, southwest of Hamilton; Section 3, Township 6 North, Range 21 West. James stated Attorney David Marquette was present to state his client (Ron Conklin) has a dispute on the access to this parcel, thus the county is allowing the sale subject to the dispute. David Marquette stated the best course of action is to remove this parcel from the auction process. Several years ago the county attempted to sell the parcel and it was withdrawn due to the access issue. James stated if the Commissioners move forward, a simple disclosure of the access would be necessary. Commissioner Thompson asked if the purchase of the property could be contingent upon the access. James stated he and George recommends if the parcel is sold at auction, it is done by Quit Claim Deed and sold as is with no guarantee of access. Commissioner Thompson stated the county should determine the access issue before it is sold. James stated if you chose not to proceed with the auction or there are no bidders, the Commissioners could proceed by Quiet Title Action to determine the access or settlement with Mr. Marquette's client. James stated the parcel should not be sold with access as the county would end up in three-way litigation. Question from audience: was it appraised with access or without. Road Supervisor David Ohnstad stated the county has enjoyed access since the 60's, thus the appraisal is with access. Commissioner Chilcott opened the parcel up for auction as is.

Don Robinson stated he is interested in offering a \$67,000.00 bid. No other bids were received. Commissioner Chilcott stated this property is sold as is with no guarantee of access to Don Robinson.

- 2.50 acres on Sweathouse Creek Road, northwest of Victor, Section 24, Township 8 North, Range 21 West. Commissioner Chilcott opened the auction.

No bids were received.

- 16.85 acres on Camp Three Road, southeast of Victor, Section 3, Township 7 North, Range 20 West. Commissioner Chilcott opened the auction.

No bids were received.

Auction was closed.

A member of the audience asked who performed the appraisal for these properties as the appraisals are too high. Commissioner Thompson explained the requirements of Montana Law and stated Kembel, Kosena & Company, certified general appraisers, performed the appraisal.

Another question from the audience of what happens to the parcels that did not sell. Commissioner Chilcott stated the Board will visit with the Road Supervisor and they have some latitude in putting the properties on the market for sale.

In other business the Board made a site visit to McMillian Ranch Subdivision.